

Practitioner's Docket No. U 014742-0

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application
of _____

Inventor(s)

for _____

Title of invention

OR

In re application of: J.R. Patil, et al

Serial No.: 10/629,309

Group No.: 1646

Filed: July 29, 2003

Examiner: -

For: BIOEMULSIFIER PRODUCTION BY ACINETOBACTER STRAINS ISOLATED FROM
HEALTHY HUMAN SKIN

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

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37 C.F.R. 1.8(a)

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* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

NOTE: 37 C.F.R. 1.98(b):

- (1) *Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.*
- (2) *Each U.S. patent application published listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.*
- (3) *Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.*
- (4) *Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.*
- (5) *Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.*

WARNING: *No extension of time can be had under 37 C.F.R. § 1.36 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).*

NOTE: *The "filing date of a national application" under 37 C.F.R. 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. 1.97(b)(1). On the other hand, a n international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).*

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

NOTE: *"No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."*

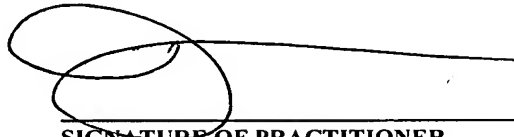
NOTE: *"An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

NOTE: *"The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

If a fee is required, please charge deposit account 12-0425.



SIGNATURE OF PRACTITIONER

Reg. No. 33778

JANET I. CORD

Tel. No.: (212) 708-1935

(type or print name of practitioner)

Customer No.: 00140

P.O. Address

c/o Ladas & Parry
26 West 61st Street
New York, N.Y. 10023



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: J.R. PATIL, et al.

Serial No.: 10/629,309

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For: BIOEMULSIFIER PRODUCTION BY ACINETOBACTER STRAINS ISOLATED
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Attorney Docket No.: U 014742-0

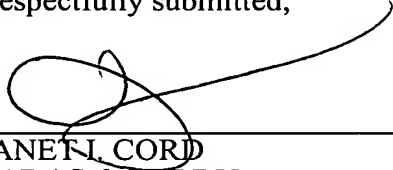
Commissioner for Patents
P.O. BOX 1450
ALEXANDRIA, VA. 22313

Sir:

INFORMATION DISCLOSURE STATEMENT

We draw the attention of the Examiner to the attached references which are also listed
on the attached Form PTO-1449.

Respectfully submitted,



JANET I. CORD
LADAS & PARRY
26 WEST 61ST STREET
NEW YORK, NEW YORK 10023
REG.NO. 33778 (212)708-1935

CERTIFICATE OF MAILING (37 CFR 1.8a)

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FORM PTO-1449

U. S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

SERIAL NO.

U 014742-0

10/629,309

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANT

J.R. PATIL et al.

FILING DATE

GROUP

July 29, 2003

1646

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AA	53-148543	12/1978	JP		X
	AB	63221834	09/1988	JP		X

OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

	AC	Japanese Patent 53-148543, dated December 25, 1978, with corresponding Chemical Abstract 90:142065
	AD	English Abstract of JP 63221834, dated September 14, 1988
	AE	Patil, J.R. and B.A. Chopade, "Studies on bioemulsifier production by <i>Acinetobacter</i> strains isolated from healthy human skin", <i>Journal of Applied Microbiology</i> , (2001), 91: 290-298
	AF	Baumann, Paul, "Isolation of <i>Acinetobacter</i> from Soil and Water", <i>Journal of Bacteriology</i> , (1968), 96 (1): 39-42
	AG	Berlau, J. et al. "Distribution of <i>Acinetobacter</i> Species on Skin of Healthy Humans", <i>Eur. J. Clin. Microbiol. Infect. Dis.</i> , (1999), 18:179-183
	AH	Bouvet, P.J.M. and P.A.D. Grimont, "Taxonomy of the Genus <i>Acinetobacter</i> with the Recognition of <i>Acineotbacter baumannii</i> sp. nov., <i>Acinetobacter haemolyticus</i> sp. nov., <i>Acinetobacter johnsonii</i> , sp. nov., and <i>Acinetobactet junii</i> sp. nov....", <i>Int'l. J. Systematic Bacteriol.</i> , (1986), 36: 228-240
	AI	Bouvet, P.J.M. and P.A.D. Grimont, "Identification and Biotyping of Clinical Isolates of <i>Acinetobacter</i> ", <i>Ann. Inst. Pastuer/Microbiol.</i> , (1987), 138: 569-578
	AJ	<u>The Merck Index: An Encyclopedia of Chemicals, Drugs and Biologicals</u> , Twelfth Ed., Budaveri, et al. Editors. Merck & Co., Inc., 1996. Pages 55, 312-313, 1163-1164, 1173, 1202, Misc. 42-45
	AK	Chu, Y.W. et al. "Skin Carriage of <i>Acinetobacters</i> in Hong Kong", <i>Journal of Clinical Microbiology</i> , (1999), 37 (9): 2962-2967
	AL	Dubois, Michel et al. "Colorimetric Method for Determination of Sugars and Related Substances", <i>Analytical Chemistry</i> , (1956) 28: 350-356
	AM	Foght, Julia et al. "Effect of Emulsan on Biodegradation of Crude Oil by Pure and Mixed Bacterial Cultures", <i>Applied and Environmental Microbiology</i> , (1989), 55: 36-42
	AN	Gutnick, D. L. and Eugene Rosenberg. "Oil Tankers and Pollution: Microbiological Approach", <i>Annual Review of Microbiology</i> , (1977), 31: 379-396
	AO	Juni, Elliott. "Interspecies Transformation of <i>Acinetobacter</i> : Genetic Evidence for a Ubiquitous Gene", <i>Journal of Bacteriology</i> , (1972), 112: 917-931

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO.	SERIAL NO.
	U 014742-0	10/629,309
	APPLICANT	
	J.R. PATIL et al.	
	FILING DATE	GROUP
	July 29, 2003	1646

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
				YES	NO
AA					
AB					

OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

AC	Kaplan, Nachum and Eugene Rosenberg. "Exopolysaccharide Distribution and Bioemulsifier Production by <i>Acinetobacter calcoaceticus</i> BD4 and BD413", <i>Appl. Environ. Microbiol.</i> , (1982), 44(6): 1135-1341
AD	Kaplan, Nachum et al. "Reconstitution of Emulsifying Activity of <i>acinetobacter calcoaceticus</i> BD4 Emulsan by Using Pure Polysaccharide and Protein", <i>Appl. Environ. Microbiol.</i> , (1987), 53(2): 440-446
AE	Lowry, Oliver H. et al. "Protein Measurement with the Folin Phenol Reagent", <i>J. Biological Chemistry</i> , (1951), 193: 265-275
AF	Monreal, Jaime and Elwyn T. Reese. "The chitinase of <i>Serratia marcescens</i> ", <i>Canadian J. Microbiology</i> , (1969), 15: 689-696
AG	Navon-Venezia, S. et al. "Alasan, A New Bioemulsifer from <i>Acinetobacter radioresistens</i> ", <i>Appl. Environ. Microbiol.</i> , (1995), 61(9): 3240-3244
AH	Pines, O. and D. Gutnick. "Role for Emulsan in Growth of <i>Acinetobacter calcoaceticus</i> RAG-1 on Crude Oil", <i>Appl. Environ. Microbiol.</i> , (1986), 51(3): 661-663
AI	Reddy, P.G. et al. "Isolation and Functional Characterization of Hydrocarbon Emulsifying and Solubilizing Factors Produced by a <i>Pseudomonas</i> Species", <i>Biotechnology and Bioengineering</i> , (1983), 25: 387-401
AJ	Rosenberg, Eugene, "Microbial Surfactants", <i>Critical Reviews in Biotechnology</i> , (196), 3: 109-132
AK	Rosenberg, E. et al. "Emulsifier of <i>Arthrobacter</i> RAG-1: Isolation and Emulsifying Properties", <i>Appl. Environ. Microbiol.</i> , (1979), 37(3): 402-408
AL	Rosenberg, E. et al. "Emulsifier of <i>Arthrobacter</i> RAG-1: Specificity of Hydrocarbon Substrate", <i>Appl. Environ. Microbiol.</i> , (1979), 37: 409-413
AM	Rosenberg, M., D. Gutnick and E. Rosenberg. "Adherence of Bacteria to Hydrocarbons: A Simple Method for Measuring Cell Surface Hydrophobicity", <i>FEMS Microbiol. Letters</i> , (1980), 9: 29-33
AN	Rubinovitz, C. et al. "Emulsan Production by <i>Acinetobacter calcoaceticus</i> in the Presence of Chloramphenicol", <i>J. Bacteriol.</i> , (1982), 152(1): 126-132
AO	Sar, Nechemia and Eugene Rosenberg. "Emulsifier Production by <i>Acinetobacter calcoaceticus</i> Strains", <i>Current Microbiology</i> , (1983), 9: 309-314

EXAMINER	DATE CONSIDERED
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				YES	NO
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OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

AC	Seifert, Harald, et al. "Distribution of <i>Acinetobacter</i> Species on Human Skin: Comparison of Phenotypic and Genotypic Identification Methods", <i>J. Clinical Microbiol.</i> , (1997), 35(11): 2819-2825
AD	Shabtai, Yossef and David\ L. Gutnick, "Exocellular Esterase and Emulsan Release from the Cell Surface <i>Acinetobacter calcoaceticus</i> ", <i>J. Bacteriology</i> , (1985), 161: 1176-1181
AE	Shabtai, Josef et al. "Emulsan: A Case Study of Microbial Capsule as Industrial Products", Symposium: Extracellular Microbial Polysaccharides, 291-307
AF	Strauss, John S. et al. "Skin Lipids and Acne", <i>Annual Review of Medicine</i> , (1975), 27-32
AG	Zosim, Zinaida et al. "Properties of Hydrocarbon-in-Water Emulsions Stabilized by <i>Acinetobacter</i> RAG-1 Emulsan", <i>Biotechnology and Bioengineering</i> , (1982), 24: 281-292
AH	Zuckerberg, A. et al. "Emulsifier of <i>Arthrobacter</i> RAG-1: Chemical and Physical Properties", <i>Appl. Environ. Microbiol.</i> , (1979), 37(3): 414-420
AI	Abstract of Shi, Y.P. et al. "A bacterial lipopolysaccharide emulsifier", <i>Chinese J. Biotechnology</i> , (1989), 5(4): 231-240.
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